

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VERONICA McCALLUP,

Plaintiff,

v.

Case No. 05-74486

"Maggie," "Janet," "Danny,"
Comfort Inn (Ann Arbor), Best Value Inn
(Ann Arbor), Best Value Inn, Comfort Inn,
Danny's partners,

HONORABLE AVERN COHN

Defendants.

**ORDER GRANTING PLAINTIFFS' APPLICATION TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT AS FRIVOLOUS**

Plaintiff Veronica McCallup, proceeding pro se, has filed suit against the following named defendants: "Maggie," Janet," Danny," Comfort Inn (Ann Arbor), Best Value Inn (Ann Arbor), Best Value Inn, Comfort Inn, and Danny's partners.

Plaintiff seeks to proceed in forma pauperis. Based upon the information in the Application to Proceed In Forma Pauperis, the Court, pursuant to 28 U.S.C. § 1915, grants plaintiff in forma pauperis status. For the reasons that follow, however, the Court shall dismiss the complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2).

The screening procedures § 1915 establishes apply to complaints filed by non-prisoners and prisoners. McGore v. Wrigglesworth, 114 F.3d 601, 604 (6th Cir. 1997). Section 1915(e)(2) allows the Court to dismiss a complaint at any time if it determines that the case is frivolous or malicious, that the plaintiff fails to state a claim upon which relief may be granted, or that the complaint seeks relief against a defendant who is immune from

such relief. A complaint “is frivolous where is lacks an arguable basis either in law or in fact.” Neitzke v. Williams, 490 U.S. 319, 325 (1989).

The Court has read the complaint. It is virtually unintelligible. From what can be gleaned, plaintiff claims that defendants have discriminated against her based on her race in various encounters and in various forms at the named hotels. She seeks to have “Maggie” and “Janet” terminated, \$500,000.00 in damages, a year of free hotel accommodations at hotels of her choice, punitive damages, and costs.

The Court can discern no claim that has an arguable basis in law. Accordingly, the Court concludes that the complaint is frivolous under 28 U.S.C. § 1915(e)(2) because it sets forth no arguable legal claim.

IT IS ORDERED that the complaint is DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e)(2). Accordingly, the Words’ Application for Appointment of Counsel is DENIED AS MOOT. In light of this disposition, the Court certifies that any appeal also would be frivolous. 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated: March 2, 2006

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 2, 2006, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager
(313) 234-5160